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THE AMERICAN WAY
Your Voice Against Intolerance

STATE & LOCAL ANTI-GAY INITIATIVES & LEGISLATION REPORT

MAY-JUNE 1996

This is not a comprehensive report of all the anti-gay bills introduced or laws passed around the country, but rather a sample of the range of anti-gay activities taking place and a source of selected information and contacts. To learn more about anti-gay activity covered in this report or to inform us of other local or state anti-gay activity, please contact Sonya Schwartz at (202) 467-2338 or at sschwartz@pfaw.org. ***This report is also available via electronic mail.***

Anti-gay activity at the local, state and federal levels, including activity in legislative bodies, on statewide ballots and in the courts, continues around the country. In particular, same-sex marriage is an increasing target of attack by the Religious Right and others.

- In a major victory for gay-rights supporters, the U.S. Supreme Court overturned Colorado's anti-gay Amendment 2, which banned protections against discrimination on the basis of sexual orientation. The majority opinion stated that Colorado "cannot...deem a class of persons a stranger to its laws." It is not yet clear what the effects of the court's ruling will be on other similar local and statewide initiatives and legislation.
- In anticipation of a ruling on a same-sex marriage case pending before the Hawaii Supreme Court, bills have been introduced in 34 states that would prohibit same-sex marriages or the recognition of such marriages performed in other states. Seventeen of those bills have died, but 8 states have now passed such laws: this year, **Alaska, Arizona, Georgia, Idaho, Kansas, Oklahoma**, **South Carolina, South Dakota** and **Tennessee** have joined **Utah**, which enacted its law last year. Bills are pending in **California, Delaware, Michigan,** and **New York**; bills in **Illinois** and **Missouri** await governors' signatures. On May 7, a "Defense of Marriage Act" was introduced in the U.S. House of Representatives by Representative Barr (R-GA) and in the Senate by Senator Nickles (R-OK), with Senator Dole co-sponsoring; only days later, the bill received a hearing in the House Judiciary Subcommittee on the Constitution. The U.S. Department of Justice has stated that it sees no legal or constitutional problems with the bill, and President Clinton has indicated that he will sign it.
- The Christian Coalition, the Traditional Values Coalition, Concerned Women for America, the Eagle Forum, the American Family Association, The Report, Colorado for Family Values, the Cincinnati-based Equal Rights Not Special Rights, and other anti-gay groups launched a "National Campaign to Protect Marriage," beginning with a rally in Iowa on February 10th with Republican presidential candidates Pat Buchanan, Phil Gramm, and Alan Keyes in attendance. Other features of the Campaign are a "Marriage Protection Resolution," endorsed by all the Republican candidates except Richard Lugar, and a new video, "The Ultimate Target of the Gay Agenda: Same Sex Marriage."
- Just weeks after Congress, as part of the recent budget compromise, repealed a clause in the 1996 defense authorization bill that would force the military to discharge servicemembers and other employees who test positive for HIV, the House has passed a 1997 defense authorization bill that

2000 M Street NW
Suite 400
Washington DC 20036

202 467 4999
202 293 2672 / Fax

pfaw@pfaw.org / E-mail
http://www.pfaw.org

would ban HIV+ servicemembers as well as gay men and lesbians, replacing the current "don't ask, don't tell" policy. Rep. Robert Dornan introduced the provisions in both bills.

- Collection of signatures is ongoing in a campaign to get a statewide anti-gay initiative on the November 1996 ballot in Oregon. A group in Idaho has been gathering signatures for a new statewide anti-gay ballot initiative, and in Broward County, Florida, an anti-gay campaign is underway to repeal a pro-gay rights measure adopted in June. Proponents of two statewide anti-gay initiatives in Washington state were defeated when they failed to collect enough signatures, though a new initiative has recently been filed.

Fighting anti-gay activity requires cooperative action and information-sharing among mainstream and progressive organizations in each state. People For the American Way has convened broad-based networks in 20 states to fight the Religious Right's political agenda and build a progressive movement. In addition, *Hostile Climate 1995*, People For the American Way's 124-page annual report documenting 180 anti-gay incidents nationwide, is now available from our Washington office for $10.95/copy for non-members and $9.95/copy for members (sorry, pre-paid mail orders only).

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ALASKA

On April 29, Alaska Governor Tony Knowles signed into law HB 226, a bill that would allow employers to refuse to provide benefits to their employees' domestic partners. The bill was introduced in 1995 by Republican Reps. Pete Kelly and Norman Rokeberg, in response to a Fairbanks Superior Court ruling in favor of two employees of the University of Alaska - Fairbanks who sought insurance benefits for their same-sex partners. The university's appeal is pending in the Alaska Supreme Court, but in the meantime, the school continues to offer domestic-partner benefits.

Governor Knowles denied that HB 226 "unfairly targets or diminishes the standing of any one group," a practice he called "offensive" and said he would not tolerate. However, on May 6, the governor allowed SB 308, an anti-gay marriage bill, to become law without his signature. The bill had passed the Senate and the House overwhelmingly, and there likely would have been insufficient votes to sustain a veto. Nevertheless, gay-rights supporters, who have long considered Knowles an ally, were disappointed in his actions. Meanwhile, a lawsuit is pending in the Anchorage Superior Court challenging the state's decision not to grant a marriage license to two male plaintiffs.

∇ State contact: State Rep. Caren Robinson, State Capitol, Room 114, Juneau, AK, 99801-1182; (907) 465-3744; Attn. Carla Timpone, Legislative Aide.

CALIFORNIA

Two anti-gay bills have been introduced in the California legislature. In the state assembly, AB 1982, introduced by Rep. Pete Knight's (R-36) would prevent California from recognizing same-sex marriages performed in other states. The bill passed the Republican-controlled House in January, but is languishing in the Judiciary Committee of the Democratic-controlled Senate. A hearing is likely in June. A second bill, AB 3227, was also introduced by Representative Knight. It would have gone farther, declaring

that same-sex marriage violates the state's public policy and claiming that California has a compelling interest in restricting marriage to heterosexuals. AB 3227 was recently withdrawn without action.

∇ Legislative contact: LIFE: California's Lesbian/Gay and AIDS Lobby and League, 926 J Street, Ste. 522, Sacramento, CA, 95814; (916) 444-0424; Attn. Laurie McBride, Executive Director.

Glendale

After a group of students requested permission to form a gay and lesbian club at Hoover High School, Glendale Unified School District trustees considered a policy that would require students to obtain parental permission to join certain student clubs. The proposed policy, drafted by the district's attorney, targeted groups focusing on counseling, therapy, religion, human reproduction and sexuality, and physical exercise; but a district spokesman acknowledged that the policy was a response to the student group's request to turn their existing informal lunchtime support group into an official club. In a letter to the school board, People For the American Way, the American Civil Liberties Union, and Lambda Legal Defense and Education Fund criticized the proposed policy, calling it unlawful, unwise and a violation of students' rights of freedom of association and privacy. Gay and lesbian students also testified against the proposal before the school board. On May 7, the board voted 4-1 to drop the parental permission plan and to instead require schools to obtain parents' signatures on a list, supplied by the school, of all available school clubs.

∇ State contact: People For the American Way, 13323 Washington Boulevard, Ste. 301, Los Angeles, CA, 90066; (310) 823-2860; Attn. Kim Adams.

COLORADO

On May 20, the U.S. Supreme Court overturned Colorado's Amendment 2, the statewide anti-gay initiative passed by voters in 1992. Amendment 2 would have repealed existing laws and policies in a number of Colorado communities protecting gay men and lesbians from discrimination, and it would have prevented local governments from passing such laws in the future. By a 6-3 vote, the court upheld the 1994 Colorado Supreme Court ruling that the initiative was unconstitutional, violating the clause of the 14th Amendment that guarantees equal protection under the law. "[The amendment] classifies homosexuals not to further a proper legislative end, but to make them unequal to everyone else," wrote Justice Anthony Kennedy in the opinion of the court. "A state cannot so deem a class of persons a stranger to its laws." The opinion also stated, "[The amendment] imposes a broad disability upon [homosexuals] alone, forbidding them, but no others, to seek specific legal protection from injuries caused by discrimination in a wide range of public and private transactions." Justices Stevens, O'Connor, Souter, Ginsburg, and Breyer joined in the majority opinion.

Dissenting were Justices Scalia and Thomas and Chief Justice Rehnquist. In an unusually sharp dissent, Scalia claimed that Amendment 2 "does not...disfavor homosexuals in any substantive sense, but merely denies them preferential treatment." He called the decision "an act, not of judicial judgment, but of political will" and he chastised the majority for "plac[ing] the prestige of this institution behind the proposition that opposition to homosexuality is as reprehensible as racial or religious bias." He also argued that the decision reverses the 1986 ruling in *Bowers v. Hardwick*, the last Supreme Court case

involving gay and lesbian rights. That decision upheld Georgia's anti-sodomy law, ruling that there is no constitutional right to private, consensual, same-sex sexual activity.

Also in Colorado, on March 25 Governor Roy Romer vetoed HB 1291, a bill to ban recognition of same-sex marriages, calling it "mean-spirited and unnecessary." He did, however, indicate that he would sign legislation stating that "It is the strong public policy of Colorado that marriage shall only be between a man and a woman" and establishing a commission to review the legal issues involved. He is so far the only governor to veto an anti-gay marriage bill.

∇ Legal contact: Lambda Legal Defense and Education Fund, 666 Broadway, 12th Floor, New York, NY 10012; (202) 995-8585; Attn. Suzanne Goldberg.

DISTRICT OF COLUMBIA

After months of negotiation over whether to repeal the District's domestic partnership law and to prohibit same-sex couples from adopting children, the U.S. Congress passed a D.C. 1996 fiscal appropriations bill that does neither. The bill does, however, prohibit the city from implementing its domestic partnership law. Congress has prevented the law's implementation since its passage in 1992. The law allows domestic partners to register with the city and provides some benefits to partners of government employees. Last fall, the Senate for the first time approved language that would allow the city to use its own funds to implement the law; but the House voted to repeal it completely, after freshman Republican Rep. John Hostettler from Indiana argued that it threatens the traditional American family.

An anti-gay amendment was also offered to the appropriations bill last fall that would change the District's adoption statute to prohibit unmarried couples from adopting. That amendment was offered by Arkansas Republican Rep. Jay Dickey, after Concerned Women for America and other Religious Right groups called on Congress to ban gay adoptions. A District of Columbia Court of Appeals had just ruled that the city's adoption law permits unmarried couples, including gay and lesbian couples, to adopt children together.

∇ Legislative contact: People For the American Way, 2000 M Street NW, Ste. 400, Washington, DC, 20036; (202) 467-4999; Attn. Rebecca Isaacs.

FLORIDA

Alachua County

The legal challenge filed in the Florida Circuit Court against Amendment 1, one of two anti-gay initiatives approved by county voters in November 1994, continues. The suit was filed in January 1995 by Lambda Legal Defense and Education Fund and local attorneys on behalf of seven plaintiffs. In March, the National Legal Foundation, a Religious Right group headed by Robert Skolrood, joined in the lawsuit to defend Amendment 1.

A local Religious Right group, Concerned Citizens of Alachua County, led the campaign to place the anti-gay initiatives on the ballot. Amendment 1 would amend the county charter to prohibit the county

government from ever again passing any ordinance protecting people from discrimination based on sexual orientation. The other initiative approved in November repeals protections against anti-gay discrimination passed by the Alachua County Commission in April 1993. There is no legal challenge to the repeal initiative.

∇ Legal contact: Lambda Legal Defense and Education Fund, 666 Broadway, 12th Floor, New York, NY 10012; (212) 995-8585; Attn. Suzanne Goldberg.

Broward County

In June of 1995, the Broward County Commission approved, by a 6-1 vote, an amendment to the county's human rights ordinance providing anti-discrimination protections in employment, housing and public accommodations based on sexual orientation. In response, Religious Right leader Ralf Stores of the American Family Association (AFA) launched a petition drive to force a referendum to repeal the measure. The political action committee called "Take Back Broward" is reminiscent of AFA leader David Caton's "Take Back Tampa" campaign in 1992. Take Back Broward must collect 46,310 signatures to put the measure to a referendum in November 1996; there were not enough signatures gathered to qualify it for the March 1996 ballot. Nevertheless, Take Back Broward organizers hoped to gather signatures at the polls this month, when Republican voters turned out for the presidential primary. A public education and "Decline to Sign" campaign, an attempt to counteract the signature-gathering activities of Take Back Broward, was launched in September by Americans For Equality, which supports the gay-rights amendment.

On February 28, the Broward County Commission voted in a new law, to take effect March 11, that requires that signatures be collected within 180 days in order to place a measure on the local ballot. Currently, signatures must be gathered by 90 days before the ballot, but those that have been gathered do not expire, so collection could theoretically go on indefinitely. Under the new ordinance, Take Back Broward can apply the signatures collected before March 11 toward the 46,310 required, but those collected after March 11 are only valid for 180 days. Ralf Stores claims the new ordinance "has homosexual fingerprints all over it." He has declined to reveal how many signatures Take Back Broward has gathered.

∇ Local contact: Americans For Equality PAC, PO Box 4984, Fort Lauderdale, FL 33338; (407) 687-2966; Attn. Richard Georgiou.

HAWAII

On April 26, the Hawaii Senate defeated a bill that would have put on the ballot a constitutional amendment banning same-sex marriages. The bill, backed by Religious Right activists, had passed the House and was stalled in the Senate Judiciary Committee. Conservative senators forced a floor vote; the bill was defeated 15-10. The Senate, like the House, is opposed to same-sex marriage, but the Senate is in favor of creating domestic partnerships.

A 1993 Hawaii Supreme Court ruling said that the state had to show a compelling interest in denying marriage licenses to gay couples, which the court called unconstitutional discrimination on the

basis of sex. The case was sent back to a trial court to give the state a chance to make its case. The trial is scheduled for this summer; whatever the outcome, the case is expected to return to the state Supreme Court for a final ruling. To support the state's case, the legislature passed a law in 1994 defining marriage as solely between a man and a woman; it also appointed a commission to study the issue of same-sex marriage. The commission issued a report last December, recommending by a 5-2 vote that same-sex marriage be legalized. Thus experts predict that the state will not be able to argue a compelling interest in denying such marriages.

∇ Contact: Lambda Legal Defense and Education Fund, 666 Broadway, 12th Floor, New York, NY 10012; (212) 995-8585; Attn. Evan Wolfson.

IDAHO

The Idaho Citizens' Alliance (ICA) is proceeding with its campaign for a statewide anti-gay ballot initiative, called "The Family and Child Protection Act," to be placed before voters in November 1996. The current initiative is similar to the ICA's Proposition 1, which was narrowly defeated at the polls in November 1994. If passed, it would prohibit state or local laws protecting gays and lesbians from discrimination. While Proposition 1 would have denied minors access to public library material concerning homosexuality, the new proposition requires minors to have parental consent or supervision to gain access.

The initiative was cleared by Idaho Attorney General Alan Lance on August 14, 1995 and the ICA has until July 5 to collect 41,335 registered voter signatures in order to put the initiative on the 1996 ballot. The organization is also collecting signatures for anti-abortion, pro-voucher, and anti-teachers' union initiatives.

Gay and lesbian rights supporters argue that Idahoans have already voted against legalized discrimination, and are determined to fight the ICA's new efforts. They are mounting a "Decline to Sign" campaign, an attempt to reduce the number of signatures gathered by the ICA. Public opinion polls conducted by Boise State University show that support for anti-gay initiatives has been decreasing since 1993. Only 38 percent of voters polled in the spring of 1995 supported Proposition 1.

On March 13, the Idaho Senate voted 28-4 to pass the anti-gay marriage bill there. It had been approved by the House on February 20, by a 59-6 vote. The bill amends an existing statute that says Idaho will recognize legal contracts, including marriages, that are legal in other states. Out-of-state marriages that violate Idaho's laws will not be recognized as valid in Idaho.

∇ State contact: No On 1 Coalition, PO Box 797, Boise, ID 83701; (208) 344-4295, Voice Mailbox #1; Attn. Nicole Prehoda.

ILLINOIS

Normal/Bloomington

On May 6, the Normal City Council voted 5-2 against adding sexual orientation as a protected category to its nondiscrimination ordinance. Opponents of the measure argued that there was not sufficient

cause to amend the ordinance, since there have been few complaints of discrimination against gays. Supporters maintain that gays do not report discrimination against them precisely because there is no law protecting them.

In January, the Bloomington City Council voted down a similar ordinance after it was vigorously opposed by the Illinois Christian Coalition and local conservative churches. Mayor Smart was against the proposal, saying, "Fundamentalist Christians ought not to be required to hire a gay janitor or a lesbian secretary if they don't want to," and the recommendation of City Corporation Counsel J. Todd Greenburg was against passing the ordinance because it might force people to go against their religious beliefs. Rick Garcia of the Illinois Federation for Human Rights argued that religious organizations are exempt from current human rights ordinances regarding hiring practices.

∇ Local contact: Advocacy Council for Human Rights, PO Box 5048, Bloomington, IL, 61702-5048; (309) 830-2521; Attn. David Bentlin.

MICHIGAN

Lansing

After the Lansing City Council passed an ordinance in March to prohibit discrimination based on sexual orientation, a group called the Majority Opposing Special Treatment (MOST) collected approximately 7,000 signatures in order to put the measure to a referendum. A gay-rights group, Lansing Equal Rights Task Force, assisted by Lambda Legal Defense and Education Fund, filed a lawsuit in Ingham County Circuit Court charging that the petitions violated the city charter because they did not state the ordinance in full and were accompanied by misinformation about it, and that the Lansing City Clerk acted illegally when she certified the repeal measure for the referendum. On May 20th, the judge ruled in favor of the plaintiffs, declaring the petitions invalid and giving MOST 30 days to collect new signatures. Approximately 4500 signatures are required to put the ordinance to a referendum.

The ordinance bans discrimination in housing, employment, and public accommodations on the basis of sexual orientation, height, weight, and family status, adding those categories to the ones already protected in the city, which include age, race, color, gender, national origin, and religion. Public debate about the ordinance had raged in Lansing for 18 months before the city council's decision.

∇ Legal contact: Lambda Legal Defense and Education Fund, 17 E. Monroe Street, Ste. 212, Chicago, IL, 60603; (312) 759-8110; Attn. Patricia Logue.

OHIO

Cincinnati

In May of 1995, the U.S. Court of Appeals overturned a district court ruling to reinstate Issue 3, the anti-gay ballot initiative passed in 1993. Issue 3 repeals the city's anti-discrimination protections and amends the city charter to prevent the future passage of any measures that would grant "minority or protected status" to gay men and lesbians. The ruling marks the first time a federal court has permitted the

overturning of an existing anti-discrimination measure. The Cincinnati City Council and the anti-gay group, Equal Rights Not Special Rights (ERNSR) defended Issue 3 with the assistance of former Attorney General Edwin Meese and former Supreme Court nominee Robert Bork; Bork serves as co-counsel for ERNSR. Civil rights advocates led by Lambda Legal Defense and Education Fund argued against Issue 3.

In 1994, a U.S. district court judge ruled that the initiative infringes upon the political and civil rights of gay men and lesbians. However, the appeals court decision asserts that Issue 3 does *not* strip gay men and lesbians of their political rights because they are still allowed to vote. The Equality Foundation of Greater Cincinnati, Housing Opportunities Made Equal, and five gay people are the plaintiffs who have requested review of the appellate court decision in the U.S. Supreme Court, which has not yet agreed to hear the case but which did rule on May 20 that a similar measure, Colorado's Amendment 2, is unconstitutional.

Meanwhile, Equal Rights Not Special Rights is joining in the National Campaign to Protect Marriage, distributing advance copies of the Marriage Protection Resolution and the new video "The Ultimate Target of the Gay Agenda: Same Sex Marriage."

∇ Legal contact: Lambda Legal Defense and Education Fund, 666 Broadway, 12th Floor, New York, NY 10012; (212) 995-8585; Attn. Suzanne Goldberg.

OKLAHOMA

In February, the Oklahoma House of Representatives almost unanimously passed a resolution, HR 1045, in support of "traditional family values." Introduced by House Majority Leader Rep. Lloyd Benson, the resolution states that "Homosexuality, lesbianism and bisexuality should not be taught as a natural lifestyle in the public schools" and that "Persons who are homosexuals, lesbians or bisexuals should not be permitted to adopt or provide foster care to children" in the state. The resolution originally included a clause stating that homosexuals "should not be entitled to any special status under the law," but that clause was dropped. Resolutions do not have the force of law but may affect policymaking and appropriations by and for state agencies.

On April 29, Governor Frank Keating signed a bill concerning child visitation that includes an amendment banning the recognition of same-sex marriages. The bill had passed the House without a hearing.

∇ State contact: Oklahoma Lesbian and Gay Political Caucus, PO Box 61186, Oklahoma City, OK, 73146; (405) 791-0202; Attn. Paul Thompson, Co-Chair.

OREGON

The Oregon Citizens Alliance (OCA) is gathering signatures for its latest attempt to pass a statewide anti-gay ballot initiative, though OCA Chair (and now U.S. Senate candidate) Lon Mabon said recently that the group only has about 10,000 so far. The group has to collect 97,681 signatures by July 1996 in order to qualify the measure for the November 1996 ballot. OCA-sponsored initiatives were narrowly rejected by voters in 1992 and 1994. The current measure would amend the state constitution to

prohibit the granting of minority status on the basis of "sexual behavior or desires," prohibit spending of public funds "in a manner that has [the] purpose or effect of expressing approval of homosexuality," and restrict minors' access to public library materials "which promote or express approval of homosexuality." The measure also asserts that moral opposition to "certain sexual behaviors such as homosexuality" constitutes a "Right of Conscience" and therefore is not to be considered "discrimination."

In 1995, the Oregon Court of Appeals upheld a state law passed in 1993 that prohibits localities from enacting city and county ordinances dealing with sexual orientation. The decision reaffirmed a Marion County Judge's ruling last year. Through the OCA's efforts, 26 localities throughout the state have passed anti-gay measures.

∇ State contact: Basic Rights Oregon, PO Box 40625, Portland, OR 97240; (503) 222-6151; Attn. Julie Davis, Executive Director.

UTAH

During a special legislative session on April 17, Utah legislators passed SB 1003, a bill that effectively bans gay student organizations. The law requires school boards to ban student organizations that "encourage criminal or delinquent conduct, promote bigotry or involve human sexuality"; it also prohibits teachers from supporting "criminal conduct." Homosexual and heterosexual sodomy are illegal in Utah. The new law also allows school boards to require parental permission for students to join clubs.

The legislation was in response to a request by a group of Salt Lake School District students at East High School for permission to form a Gay/Straight Student Alliance. After receiving the students' request last fall, Salt Lake Superintendent Darline Robles asked State Superintendent Scott W. Bean to review the issue. He in turn asked the Utah Attorney General's office, which issued a statement that "high school clubs must be treated equally regardless of their controversial or conventional status or lose federal funds," according to the federal 1984 Equal Access Act. A U.S. Supreme Court decision in 1990 also stated that if a school allows some non-curricular clubs, it has to allow others. Ironically, both the federal law and the court case were the results of efforts to protect Christian and other religious clubs.

When the story of the Gay/Straight Alliance made the papers on December 22, the Utah Eagle Forum led an assault against the club. Many members of the community then turned out at a rally on January 5 to support the club and formed the Citizens' Alliance for Hate Free Schools. On January 11, the school board passed a resolution expressing "concern over the formation of any organizations in school that may create a disruptive or unsafe atmosphere for children or that may attract or entice children to make decisions that could have a long-term negative impact on their lives."

On January 30, a group of Utah senators held a closed caucus to discuss possible strategies, including the elimination of *all* extracurricular clubs in the state's public schools. "It's Draconian, " said Senate Minority Leader Scott Howell, a Democrat who was present at the meeting. "We'd shut down the rodeo club, the debate club, the ski club. Everything." Some conservative senators reportedly used the meeting, at which several state education officials were present, as an opportunity to accuse teachers of advocating homosexuality among students. An excerpt from the anti-gay video "Gay Rights, Special Rights" was shown. Gay and Lesbian Utah Democrats (GLUD) has expressed its outrage at the

"outrageous gay baiting" by the senators and claimed that the lawmakers violated the state Open Meetings Act. On February 6, the Utah Human Rights Coalition and the Citizens' Alliance for Hate Free Schools held a rally to protest the secret meeting.

On February 20, the Salt Lake City Board of Education voted 4-3 to ban all noncurricular clubs, including young men's and women's associations, ethnic and religious clubs, volunteer groups, honor societies, environmental and human rights organizations, and sports and games clubs. More than a hundred speakers addressed the board during a public hearing, most in favor of allowing the clubs. "I think they're punishing all of the Salt Lake City School District because they're afraid of one club," said one student about the board's decision. Another student seemed to blame the Gay/Straight Alliance members. "Everyone suffers because of the gays," he said. On February 23, hundreds of students walked out of two Salt Lake City public high schools to protest the board's decision. On March 2, over 2,000 students, parents, and activists marched and rallied at the state capitol to register their protest as well.

In March, Utah Governor Mike Leavitt vetoed SB 246, which would have prohibited teachers from encouraging or condoning illegal acts; he then put the bill on the agenda of a special legislative session to fix its language. The bill that finally passed, SB 1003, was drafted in meetings with attorneys, presented to some legislators only hours before the vote, and pushed through after hours of debate. Attempts to delay a final vote in order to allow for public scrutiny of the bill failed.

∇ State contact: Utah Human Rights Coalition, PO Box 521242, Salt Lake City, UT, 84152-1242; (801) 484-5291; Attn. Charlene Orchard, Co-Chair; e-mail: cdorchard@earthlink.net

WASHINGTON

On December 29, two proposed anti-gay statewide initiatives were officially defeated, since sponsors failed to get enough signatures to qualify the initiatives for the November 1996 ballot. In 1994, the same sponsors failed to get enough signatures to place their anti-gay initiatives on the ballot; this time they submitted their initiatives to the state legislature. That strategy allowed them additional time to gather signatures and influence legislators. Nevertheless, they failed to gather 181,667 valid signatures for each initiative by December 29, 1995. If they had succeeded, the measures would have gone before the state legislature for review in 1996.

The Washington Committee for Equal Rights, Not Special Rights (WCERNSR), which sponsored 1994's proposed statewide anti-gay Initiative 608, had been gathering signatures for a similar measure, Initiative 166, which garnered over 100,000 signatures. Initiative 166 aimed to deny sexual minorities legal protections and to prohibit homosexuality, bisexuality, transsexuality, and transvestitism from being "presented, promoted, or approved as positive, healthy, or appropriate behavior." The Citizens Alliance of Washington (CAW), which sponsored 1994's proposed anti-gay Initiative 610, had been gathering petition signatures for Initiative 167, entitled the "Responsible Adoptions Act." 40,000 signatures were collected for that measure, after which sponsors stopped counting. Initiative 167 aimed to bar "person(s) who practice homosexuality," as well as unmarried heterosexual couples and single people, from adopting or providing foster care to minor children. CAW also attempted to pass its adoption proposal legislatively. A group of 16 state representatives, led by Rep. Val Stevens, introduced House Bill 1171, which stated that

"it is not in the best interest of a minor child...to be placed in a household with a homosexual, bisexual, transsexual, or transvestite...." The bill was shelved by the House Law and Justice Committee.

Gay and lesbian rights supporters mounted a massive coalition effort to defeat the initiatives, including a Decline to Sign educational campaign by Bigot Busters and the gathering of 50,000 signatures on the Northwest Pledge Against Discrimination by Hands Off Washington. In February, WCERNSR disbanded; this month, CAW followed suit, citing the poor health of its leader, Sam Woodard. On February 28, a new initiative, identical to 608 and 166, was filed by Mark Roshak, who is affiliated with a new group, Washingtonians Opposed to Homosexual Policies. Initiative 669 was filed to the people, not the legislature, and so will go directly to the ballot if enough signatures can be gathered.

In February, the Washington House voted 66-30 to pass a bill that specifically prohibits same-sex marriages and the recognition of such marriages performed in other states. The bill, HB 2262, was sponsored by Republican Rep. Bill Thompson and at least 15 other Republicans. The bill died in the Democratic-controlled Senate.

∇ State contact: Hands Off Washington/Washington Citizens for Fairness, 1202 E. Pike, Ste. 532, Seattle, WA 98122, (206) 323-5191; Attn. Lois Canright or Kelly Evans; e-mail: howwcf@aol.com

∇ Legislative contact: The Privacy Fund, 1202 E. Pike, Seattle, WA 98122; (206) 292-2486; Attn. Carol Sterling, Executive Director.

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The information in this report was obtained from national and grassroots organizations, activists, and media, including the following:

∇ *Gay and Lesbian Alliance Against Defamation (GLAAD), 150 W. 26th Street, Suite 503, New York, NY, 10001; (212) 807-1700; glaad@glaad.org*

∇ *Gay and Lesbian Alliance Against Defamation/San Francisco Bay Area (GLAAD/SFBA), 1360 Mission Street, Suite 200, San Francisco, CA, 94103; (415) 861-4588; glaadsfba@aol.com*

∇ *Gay, Lesbian, and Straight Teachers Network (GLSTN), 122 W. 26th Street, Suite 1100, New York, NY, 10001; (212) 727-0135; GLSTN@glstn.org*

∇ *Human Rights Campaign (HRC), 1101 14th Street, NW, #200, Washington, DC 20005; (202) 628-4160; hrc@hrcusa.org*

∇ *Lambda Legal Defense and Education Fund, Inc., 666 Broadway, New York, NY 10012-2317;(212) 995-8585*

∇ *National Advocacy Coalition on Youth and Sexual Orientation (NACYSO), 1711 Connecticut Avenue, NW, Suite 206, Washington, DC, 20009; (202) 319-7596; NACYSO@aol.com*

- *National Gay and Lesbian Task Force (NGLTF), 2320 17th Street, NW, Washington, DC 20009-2702; (202) 332-6483; ngltf@ngltf.org*

- *Parents, Families and Friends of Lesbians and Gays (P-FLAG), 1012 14th Street, NW, # 700, Washington, DC 20005; (202) 638-4200; PFLAGNTL@aol.com*

- *PERSON Project (Public Education Regarding Sexual Orientation Nationally)/Jessea Greenman, 586 62nd Street, Oakland, CA 94609-1245; (510) 601-8883; jessea@uclink4.berkeley.edu*